



Town of Tyngsborough

Zoning Board of Appeals
Town Hall-25 Bryants Lane
Tyngsborough, MA 01879-1003
(978) 649-2300, Ext. 112

APPROVED

TYNGSBORO ZONING BOARD OF APPEALS MINUTES

Date: May 10, 2012

The meeting was called to order by Chairman Robb Kydd at 6:30p.m. at Tyngsboro Town Hall, Community Room, 25 Bryants Lane, Tyngsborough, MA per published meeting notice in the Lowell Sun newspaper on Thursday, April 26, 2012 and Thursday, May 3, 2012 to hear requests for variance and special permit.

Board Members Present (with check mark):

<input checked="" type="checkbox"/> Robb Kydd, Chairman	Chris Mechalides, Vice Chairman	<input checked="" type="checkbox"/> Cheryl Bradley
<input checked="" type="checkbox"/> Claire Cloutier	<input checked="" type="checkbox"/> Joseph Polin	<input checked="" type="checkbox"/> Scott Bordeleau

Public Hearing #1:

SMOKEY BONES BAR & FIRE GRILL – 431 MIDDLESEX RD., Assessors Map 11, Lot 21; Request a Variance from Sections 2.12.50 side yard set back, 3.13.32 buffering and screening; and 3.10.24 parking spaces, of the Zoning By-Law for a new 1,290 sq. ft. enclosed patio and 470 sq. ft. outdoor patio addition to the existing Smokey Bones restaurant. *Advertised in the Lowell Sun Thursday, March 29, 2012 and Thursday, April 5, 2012 ←continued from April 12*

Members Reviewing: Robb Kydd, Cheryl Bradley, Claire Cloutier, Joseph Polin, Scott Bordeleau

Presentation by Applicant/Designee:

Continuation of previous meeting, including the following:

- Clarification of access around periphery of existing building.
- Parking issues concerning overflow and employee parking at main Pheasant Lane Mall parking lot adjacent to restaurant was confirmed.
- Discussion on actual screening and buffer materials and location was confirmed.
- Front waiting area, with seating was added to building plans.

Presentation by Abutters:

Opposed: None

Proponent: Simon's Service Center (abutter) letter of approval was presented.

Close of public portion of meeting

Motion to close the public portion of the meeting: motion: Robb Kydd, 2nd: Claire Cloutier, Voice Vote: Unanimous

Open Discussion and Q&A to Applicant with Applicant responses

-Continued discussion by multiple board members to clarify features of the building plan, architecture, site plan with buffering, parking, entry and exit of building and property.

Review Notes/Comments on Application from other Tyngsboro Departments

Highway: None

Planning: None

Building Comm: None

Board of Health: None

Conservation: None

Sewer: None

Board Motion was made by: Robb Kydd, and seconded by Cheryl Bradley

Motion written as follows:

SMOKEY BONES BAR & FIRE GRILL – 431 MIDDLESEX RD., Assessors Map 11, Lot 21; Tyngsboro Zoning Board of Appeals to grant a variance from Sections 2.12.50 side yard set back, 3.13.32 buffering and screening; and 3.10.24 parking spaces, of the Zoning By-Law for a new 1,290 sq. ft. enclosed patio and 470 sq. ft. outdoor patio addition to the existing Smokey Bones restaurant according to proposed building/site plans submitted with and at time of application.

☒ The motion was carried by unanimous voice vote.

Public Hearing #2:

ROUTE 3A GAS, INC. AND TYNGSBOROUGH REALTY TRUST – 257 MIDDLESEX RD., Assessors Map 20, Lot 47; Request a Variance from Sections 2.11.30 & 2.11.50 for Light Vehicle Sales (7 car maximum) *Advertised in the Lowell Sun Thursday, March 29, 2012 and Thursday, April 5, 2012* ←*continued from April 12, 2012*

Presentation by Applicant/Designee:

Motion was made to continue this meeting to next ZBA meeting date in June, per request of legal counsel Peter Nicosia. Continuance form was presented at this time

- ☒ The motion was carried by unanimous voice vote.

Additional Meeting Agenda Items (as published)

OTHER BUSINESS:

- None

ADMINISTRATIVE:

- Next Meeting: June 14, 2012

Motion to Adjourn, made by Robb Kydd at 8:15pm, seconded by Claire Cloutier.
The motion carried unanimously by voice vote.